

# **TOWN OF ROCKLAND**

## **Board of Selectmen**

Town Hall  
242 Union Street  
Rockland, Massachusetts 02370

**MINUTES OF THE BOARD OF SELECTMEN'S OPEN SESSION held on Monday, January 18, 2005 at 7:00 PM in the H. Bernard Monahan Memorial Room, Town Hall, 242 Union Street, Rockland, Massachusetts 02370.**

**ATTENDANCE: Chairman John R. Llewellyn, Vice-Chairman Lawrence J. Chaffee, Larry J. Ryan, Louis U. Valanzola and Keven Pratt**

Mr. Llewellyn asked for a moment of silence for Ray Carpenter who passed away this week. Ray was the custodian at the Town Hall since the opening of the building in 1974 until about three years ago. He will be missed by all.

Veteran's Agent Tony Materna led everyone in the Pledge of Allegiance.

### **A. MINUTES:**

1. 1. Open Session – October 4, 2004

**Motion: Mr. Ryan to approve minutes of October 4, 2004 Open Session**

**Second: Mr. Pratt**

**Vote: 5-0**

2. 2. Open Session – November 1, 2004

**Motion: Mr. Pratt to approve minutes of November 1, 2004 Open Session**

**Second: Mr. Ryan**

**Vote: 5-0**

3. 3. Open Session November 15, 2004

**Motion: Mr. Chaffee to approve minutes of November 15, 2004 Open Session**

**Second: Mr. Ryan**

**Vote: 4-0-1 (Mr. Llewellyn abstained – not present at meeting)**

### **B. UNFINISHED BUSINESS**

1. Pedestrian Crossings/Traffic Lights – Town Administrator

Question was raised at our last meeting by Charles Kimball as to why the traffic lights when the pedestrian button was pushed could not go to red and yellow.

## **B. UNFINISHED BUSINESS**

### **1. Pedestrian Crossings/Traffic Lights – Town Administrator**

Mr. Plante talked to both Mass Highway District #5 and Bell Traffic. District #5 informed me there are specific traffic regulations both at Massachusetts and the Federal level. We learned it was illegal and we can't do it. If there are areas that are doing this they are in violation of state and federal traffic regulations. They did suggest that if we have a couple of intersections that are particularly bad (as long as they are not on the state road 123) the BOS has the authority to change the local traffic regulations to "no turn on red". We may want to have a study done by the traffic officer at the Police Department. That is pretty much our only alternative. I also talked to Bell Traffic and they explained to me that as the new control boxes are being put in, they are installing what is called TS2's. TS2's are solid state electronics and there is no way that they can be converted back to the red & yellow. The old boxes (TS1's) there was a way to do it. Even if we asked to be converted back to the old system they would not do it because it is illegal. It's not the answer we were looking for but "No Turn on Red" seems to be the way to go.

## **C. NEW BUSINESS**

### **1. 1. Pole Hearing – Mass Electric**

**Motion: Mr. Pratt to open hearing**

**Second: Mr. Ryan**

**Vote: 5-0**

This is for a new telephone pole at Boxberry Square. This is located off VFW Drive, the old Suburban Auto lot. A Mass Electric representative spoke explaining that this is to supply electrical service to the new development called Boxberry Square.

**Motion: Mr. Ryan to close hearing**

**Second: Mr. Pratt**

**Vote: 5-0**

**Motion: Mr. Ryan to approve pole at Boxberry Square**

**Second: Mr. Valanzola**

**Vote: 5-0**

### **2. Approve Deficit Spending for Snow and Ice**

Mr. Llewellyn read a letter from Robert Corvi, Jr., Highway Superintendent regarding the Snow and Ice Account being in a deficit position. Mr. Chaffee asked the accountant for a 5-year survey regarding this account. On the average there was \$211,000 spent on snow and ice removal. I not sure if t his is the right time to rethink what we appropriate for snow and ice removal but at some point in time we will need to think about increasing that. It seems to make no sense that we have deficit spent in 3 of the last 5 years (it will be 4 of 6 years this year).

**Motion: Mr. Chaffee approve the request for deficit spending in the Snow & Ice Account**

**Second: Mr. Valanzola**

**Vote: 5-0**

Mr. Plante just wanted the folks at home to know that statutorily Snow and Ice is the only account that we are allowed to deficit spend.

3. Special Legislation – Letter from Senator Morrissey

Mr. Llewellyn read letter from Senator Morrissey to Mr. Plante dated 1/5/05 re: House Bill 5101 & Senate Bill 2435, 2436, 2437 & 2438 were not enacted. He made a request that House Bill 5101 be resubmitted for the 04-05 legislative session and is asking that the BOS make the same request. Senate Bill 2435, 2436, 2437 & 2438 would most likely have to be resubmitted through Town Meeting process by asking the Governor to file a bill. Mr. Llewellyn read a letter from Mr. Plante dated 1/6/05 to Governor Romney regarding filing the governor's bill.

**Motion: Mr. Chaffee to approve the Town Administrator to send a letter to Governor Romney asking him to file a bill for Senate Bill 2435, 2436, 2437 & 2438**

**Second: Mr. Pratt**

**Vote: 5-0**

4. 4. Discussion of Retirement Contribution

Mr. Llewellyn gave synopsis of letter sent from Hanover BOS. Basically the Plymouth Retirement Board has decided to change the funding schedule from 2028 to 2026. They are trying to have all their funds in place so that they are not in a deficit position. This would cost Rockland an additional \$59,000. The issue that Hanover has and so do we is that although their unfunded liability is up 5.69% their invest return is up 28.51% which is the best of all 107 retirement systems in Massachusetts. For some reason they voted that they want to bring it back two years earlier putting it on the backs of the Towns. The assessment increase for Rockland would be \$440,000. There is an information meeting with their actuary going to be held at the Kingston Town Hall on Wednesday, February 2, 2005 at 1:30 PM. Mr. Llewellyn doesn't know if it's appropriate to take action on this now....it should wait until someone goes to this meeting and find out what their plans are. Mr. Plante checked with the Treasurer and last year we had 15 people retire. That would account for a lot of that increase. Mr. Plante will be attending this meeting, he is not sure if the Treasurer is going. Mr. Chaffee (Chairman-Plymouth County Advisory Board) indicated there is a meeting in February to discuss another issue; however, I want to add this issue to the meeting. I think this February 2<sup>nd</sup> meeting was planned during the day so that most Selectmen could not go. The purpose of this meeting was for Town Administrators, Treasurers and Executive Secretaries to be there. I would suggest we not vote to back up Hanover until we get the information at this meeting.

**Motion: Mr. Pratt to support Hanover's request**

**Second: None**

**Motion: Mr. Chaffee to table this until our next meeting**

**Second: Mr. Valanzola**

**Vote: 5-0**

5. 5. Request for Tool Booth – SSVTHS Parents Association

Request for Toll Booth Fundraiser on Saturday, May 7, 2005 from 9:00 AM to 3:00 PM on Hingham Street if SPED doesn't want Hingham Street. Other two locations would be Webster Street or Centre Avenue. Mr. Chaffee – we only want 2 toll booth days a year. Rain Date: May 14<sup>th</sup>.

**Motion: Mr. Ryan to approve Toll Booth subject to Police Department's review.**

**Second: Mr. Pratt**

**Vote: 5-0**

6. Request for Support – Town of Kingston re: 40B Legislation

Mr. Llewellyn read letter from Town of Kingston regarding their Manufactured Housing Development in the current formula for 40B Housing. The Town of Kingston would like our support in convincing the legislature to amend the provisions of 40B by including manufactured homes in the calculations to determine the percentage of low and moderate income housing. Mr. Llewellyn then read the non-binding question that the Selectmen voted to put on the Annual Town Election Ballot.

**Motion: Mr. Pratt to put question on ballot**

**Second: Mr. Chaffee**

**Vote: 5-0**

7. 7. Request for Easement – Attorney Laura Powers

Mr. Plante explained that we are looking for the BOS's permission to allow the individual to do the legal work and research; then down the road would ask for an easement. Basically the piece of property is on Abington Street right off of Weymouth Street and they changed/reconfigured it down there. For us to change it and sell it would cost us more in legal expenses than we could ever hope to get for it. The gentlemen's driveway is on part of this property. That is why we are proposing the easement. Part of the deal is that this gentlemen will occur all the legal costs and the Town will not have any expenses. I believe it will take a Town Meeting vote for the easement. Mr. Llewellyn explained that an easement is just a legal right to use property it does not mean that the Town of Rockland loses ownership. It just allows this gentlemen a deeded right to use the property.

**Motion: Mr. Ryan to authorize Attorney Powers to proceed**

**Second: Mr. Pratt**

**Vote: 5-0**

## **D. D. TOWN ADMINISTRATORS REPORT**

Reminded the BOS that you have a meeting tomorrow night @ 7:30PM with the Finance Committee it's a joint Selectmen/Fin.Com. Meeting. This meeting is just to discuss the budget that has been turned over to them. This is an open meeting.

## **E. CORRESPONDENCE - NONE**

## **F. OPEN FORUM**

Mr. Chaffee – Tomorrow is going to be a busy night. In addition to the Selectmen/Fin.Com Meeting, we have SSVTHS's annual budget meeting in the library at SSVTHS. Rockland is increasing their students by 17 students which means an additional amount to our assessment.

There is a wrestling fundraiser Saturday night at the Teen Center at 7:00 PM with the World Wrestling Association of New England. All money raised at this event will go to the Teen Center.

Mr. Ryan – Watch the Patriots. If anyone has a free ticket and wants someone to go, I'm available. I will pay my own way though!

Mr. Llewellyn – Mr. Plante did send a request in for World Championship Trophy for the Red Sox to come to Rockland. Hopefully we will be lucky enough for it to come here in the near future. Reminder of Finance Committee tomorrow night.

On a personal note as you know Lieutenant Craig retired suddenly from the Police Department. As a result of that retirement the Chief decided to restructure the administration of the Police Department. During that restructuring he held interviews for Deputy Chief. As many of you know I was appointed Deputy Chief of the Police Department. This new position has required numerous new responsibilities and as a result, I'm going to be resigning my position as Selectmen effective April 1, 2005. This way the voters will have a chance to vote for Mr. Ryan and Mr. Valanzola's positions for a three year term and my position for a two-year term. I've enjoyed being a Selectman for the Town of Rockland. I do believe that I have done what I feel personally has been in the best interest of the Town of Rockland. Mr. Llewellyn spoke regarding the RocklandNews.Com slams and ethic's issues. A lot of people are stepping down from elected offices and a lot of qualified people are not running because of these vocal minorities that are often critical. I hate to see this continue because you are going to have a lot of less qualified people running for elected offices. It's going to become a popularity contest rather than having qualified people up here. My whole family comes from Rockland; I'm committed to the Town of Rockland not only as a Selectman but at the Police Department. I leave here holding my head high knowing that I (and Mr. Ryan) have done the right thing in our own hearts.

Mr. Valanzola – Let me be the first to congratulate John in his new position and wish him luck.

I have checked with Adelphia and right now we are still are under the Adelphia umbrella. They think they have us confused with Rockland, New Jersey...that's close.

Mr. Pratt – Wished John Llewellyn luck as well. Your stepping down is quite a surprise. I know you will do great in your new position as Deputy Chief and will serve the people of Rockland to the best of your ability and will do a great job at that.

I would also like to extend my condolences to the family of Ray Carpenter. I had an opportunity to work with Mr. Carpenter on the Town's Charter Maintenance Committee. A nicer guy you would never know. Mr. Llewellyn gave hours for wake and funeral.

Chief Donovan – I noticed that recently that some of the towns are getting huge reimbursements on these school bills. Back in 1992-93 the Town of Rockland passed \$1.3 million dollars for the school roof that was supposed to be reimbursed. Has anyone looked into that? I noticed that Norwell just got \$12.5 million dollars back. Is there any chance that we can get the \$1.3 million that they have owed us back then? Mr. Llewellyn – When Mr. Plante and I went back to the Department of Education two years ago we asked that exact question. There are three different levels, one of which was for new construction. I forget what the 2<sup>nd</sup> level was, but the third was for repairs and maintenance on buildings. Chief Donovan – Didn't they just change the law in the last few months? It just doesn't make sense that they are giving millions back to the rich towns for new construction and we haven't received our reimbursement back from 15 years ago. Mr. Llewellyn – We will look into it.

Chief Sammon – From January 15 – May 1<sup>st</sup> they allow open burning in the Town of Rockland. We are changing the procedure – anyone requesting open burning has to report to the Fire Station to get a written permit with instructions and there is a one time annual fee of \$20.00. Other towns are already doing this. I also want to thank you two gentlemen (John & Larry) for your years of service to the Town of Rockland. You will both be missed.

Parent (failed to identify herself) – Asked the BOS if they knew of any Eagle Scout project that her son could work on. He is willing to do two projects. Mr. Ryan suggested the Historical Society. Mr. Plante suggested if she wanted to do a general letter we could put it in the mailboxes of several of the boards, commissions and departments. Mr. Pratt suggested marking the trails at Hartsuff Park and identifying the points of interest. The Community Center may be able to help him. Mr. Chaffee – Troop 57 has many Eagle Scouts they should have a record of the projects. He may get some ideas from that. We wish him the best of luck.

Mr. Chaffee – I would just like to congratulate both John and Larry on jobs well done. It takes a lot to be a Selectman here – as John mentioned we put our necks out and

people are not afraid to take a whack here and there. John and Larry have put up with a lot more whacks than I have. (John & Larry – You’ll get yours now.) I’m sure I’ll be the favorite son now. Larry and John have done a great job for the Town. Their hearts have always been with the Town of Rockland to do the best that they could. They will be sorely missed.

Mr. Ryan – Congratulation to John also. People will never always agree with everything you do. It’s sort of like being an umpire....50% of the time you tick off 50% of the people and the other 50% it’s their turn tomorrow. It’s just the mean spirited people that call every government agency and try to thwart the government. It’s the people who ask for all these records requests (umpteenth million records) that tie up everything. I call them political terrorists...they don’t accomplish anything, they don’t really produce anything for the Town. All they do is hurt the Town. If you want to get involved....***get involved***. Come forward, make your case and do something. Don’t stand in the background and throw stones. I would say to those people, “grow up, get a life, get involved...do it right.”

**Motion: Mr. Chaffee to adjourn at 7:57 P.M to executive session for the purposes of collective bargaining, not to reconvene**

**Second: Mr. Pratt**

**Vote: 5-0 Mr. Ryan – yes, Mr. Valanzola – yes, Mr. Chaffee – yes, Mr. Pratt – yes and Mr. Llewellyn - yes**

---

**LAWRENCE J. CHAFFEE**  
**VICE-CHAIRMAN**

---

**BRADLEY A. PLANTE**  
**TOWN ADMINISTRATOR**